

**CALFRESH (CF) PROGRAM
REQUEST FOR POLICY/REGULATION INTERPRETATION**

INSTRUCTIONS: Complete items 1 - 10 on the form. Use a separate form for each policy interpretation request. Retain a copy of the CF 24 for your records.

- Questions from counties, including county Quality Control, must be submitted by the county CalFresh Coordinator and may be submitted directly to the CalFresh Policy analyst assigned responsibility for the county, with a copy directed to the appropriate CalFresh Policy unit manager.
- Questions from Administrative Law Judges may be submitted directly to the CalFresh Policy analyst assigned responsibility to the county where the hearing took place, with a copy of the form directed to the appropriate CalFresh Bureau unit manager.

1. RESPONSE NEEDED DUE TO: <input type="checkbox"/> Policy/Regulation Interpretation <input type="checkbox"/> QC <input checked="" type="checkbox"/> Fair Hearing <input type="checkbox"/> Other:	5. DATE OF REQUEST: 6/5/2012 6. COUNTY/ORGANIZATION: San Bernardino County 7. SUBJECT: Overissuance repayment and excluded individuals	NEED RESPONSE BY: 6/7/12 ASAP
2. REQUESTOR NAME:	8. REFERENCES: (Include ACL/ACIN, court cases, etc. in references) NOTE: All requests must have a regulation cite(s) and/or a reference(s).	
3. PHONE NO.:		
4. REGULATION CITE(S): 63 - 402.1, 801.4, 801.731, 504.44 ACINs I-54-09E		

9. QUESTION: (INCLUDE SCENARIO IF NEEDED FOR CLARITY):

Household consists of SSI caretaker, her husband who is excluded due to a drug felony and a minor child. Husband just moved into the home, he has a disqualifying felony drug conviction and has a prior OI when he was participating in CalFresh as a single household member. Should the county be adjusting/collecting the overissued CalFresh benefits in this case? The excluded drug felon is not in the household by regulations and collecting the OI is penalizing the minor who was not part of the household at the time of the OI.

402.22 states that an excluded member is included as a member of the household for the purpose of defining a household. 801.4 states that the CWD shall initiate collection against any or all adult members which receive an OI for an IPV, IHE or AE claim.

801-731 stated the CWD shall collect repayments for a claim from a household currently participating in the program 504.44 - An ineligible felon's income would be used in calculating the allotment

10. REQUESTOR'S PROPOSED ANSWER:

Yes, since the husband, who is a drug felon, is considered part of the CalFresh household the county can adjust/collect an identified OI from the new household.

11. STATE POLICY RESPONSE (CFPB USE ONLY):

The Department agrees with the proposed answer. Per ACIN I-54-09EII, excluded household members including household members having drug/fleeing felon status are responsible for overissuances.

FOR CDSS USE

DATE RECEIVED:

DATE RESPONDED TO COUNTY/ALJ: